

**Council for the Village of Yellow Springs  
Regular Session Minutes**

**Virtual Meeting @ 6:30 P.M.**

**Monday, December 21, 2020**

**CALL TO ORDER**

President of Council Brian Housh called the virtual meeting to order at 6:30pm.

**ROLL CALL**

Present via Zoom were President Housh and Council members Marianne MacQueen, Lisa Kreeger, Laura Curliss and Kevin Stokes. Also present via Zoom were Village Manager Josue Salmeron, Sergeant Watson and Chief Carlson, Public Works Director Johnnie Burns and Solicitor Breanne Parcels.

**EXECUTIVE SESSION**

At 6:31pm, Kreeger MOVED and Stokes SECONDED a MOTION TO ENTER EXECUTIVE SESSION For the Purpose of Discussion of the Purchase or Sale of Real Estate.

The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

At pm, Stokes MOVED and MacQueen SECONDED a MOTION TO EXIT EXECUTIVE SESSION.

**ANNOUNCEMENTS**

Housh gave a Happy Birthday shout out to Samantha Stewart.

MacQueen noted that Yellow Springs has been recognized as a National Wildlife Habitat Community.

Housh recognized the Council Clerk for ten years of service.

Salmeron announced that h Village wifi is up and running in the downtown area.

Kreeger announced that YSCF, Miami Township and the Village will be sponsoring rapid testing for COVID at the new firehouse beginning the week of December 28<sup>th</sup>. This is free for all residents and those who work in the village or Township; donations are welcome. Pre-registration is required through [wellnessflowllc.com](https://wellnessflowllc.com).

Salmeron noted that the New Year's Eve Ball Drop has been cancelled.

**CONSENT AGENDA**

1. Minutes of December 7, 2020 Regular Session

Kreeger MOVED and Curliss SECONDED a MOTION TO APPROVE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**REVIEW OF AGENDA**

**PETITIONS/COMMUNICATIONS**

The Clerk will receive and file the following:

Jo Dunphy re: Flashing Crosswalk Lights  
Samantha Miller re: Wildlife Habitat Community  
Lisa Kreeger re: Columbus Dispatch Article on Anti-Racism  
Brian Housh re: VYS Testimony on Capital Bill Budget  
Brian Housh re: 21 Day Racial Equity Challenge  
Elise Burns re: Mayors Court Reports (2)  
Lisa Kreeger re: Rapid COVID Test Information  
Bernadette Parks re: History of Mills Lawn

MacQueen reviewed the communications.

**PUBLIC HEARINGS/LEGISLATION**

**Second Reading and Public Hearing of Ordinance 2020-37** Approving the 2021 Budget for the Village of Yellow Springs. Stokes MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Salmeron noted the changes made to the budget since the first reading, and presented informational pie charts.

Curliss noted her memo, and stated that she would like to provide funds to Glen Helen towards tear-down of the old power plant and restoration of the area to a wetland, for which the Glen Helen Association will be submitting a grant application, which does require a local match.

Curliss MOVED TO ADD \$125,000.00 TO THE GREEN SPACE FUND FOR THE GLEN HELEN POWER PLANT REMOVAL PROJECT. Kreeger SECONDED.

Housh commented that there is funding in the Green Space fund sufficient to cover the requested amount. He noted that Council is as yet unaware of how much of this will be needed for Tecumseh Land Trust. He asked whether the requested funds could be moved from the General Fund if and when the money was needed.

Salmeron responded that this could be done at any Council meeting as a Supplemental Appropriation.

Housh expressed a preference to not encumber the funds until they are needed.

MacQueen stated that there has as yet been no formal request from the Glen to which Council can respond.

Nick Boutis, Glen Helen Director, stated that receiving funds from Council would be of help in the Glen Helen Association's effort. He stated that he would "eventually need to leverage a 25% match."

Housh learned that the grant would not be submitted until August 2021.

Housh explained that the usual procedure would be for Council to pass a resolution of support which could be submitted with the grant application, with appropriation of funds occurring once the grant is received.

Housh CALLED A VOTE ON THE MOTION. The MOTION FAILED 1-4, with Curliss voting for the motion.

Housh OPENED THE PUBLIC HEARING.

Curliss asked for an explanation regarding the budget item for \$24,000.00 for "casual uniforms".

Salmeron explained that the amount requested includes funding for surveying and other means of gathering opinion on the uniforms. He stated further that the uniforms will be professional, and that the word "casual" is misleading in that regard.

Chief Carlson noted that there has been a fair amount of negative comment regarding the "militaristic outer vest". Wearing the vest outside the uniform, however, Carlson said, is beneficial for those with back issues, as it is less stressful to the wearer. Simply replacing the vest for nine officers, Carlson said, will require \$15,000.00.

Housh stressed the importance of gaining public opinion and reaching a collaborative decision. He reminded others that the amount requested is not necessarily what will be required.

MacQueen asked that if funds are available for Affordable Housing through the year that these are directed into a fund. She asked whether a hybrid police vehicle will be purchased. She asked whether funds could be set aside for park maintenance.

Salmeron responded that yes, a hybrid vehicle will be purchased. He noted that any fund created needs to have a revenue stream, and he offered several alternatives to a single fund for Housing. Salmeron noted that the Village has made significant investments in Affordable Housing over the past several years, but that no funds have been requested for 2021.

Regarding parks, Salmeron stated that these are regularly maintained, and are targeted for Capital Funds if significant improvements are planned.

Council discussed the possibility of creating a Finance Committee. Housh stated that this will be followed up-upon during Council's January 20<sup>th</sup> retreat.

Housh commented that he would like to see more bike and foot patrols, in keeping with an

increasing focus on active transportation.

Both MacQueen and Housh rebutted the narrative around “spending down the budget.”

Housh stressed that the Village has saved funds, and is now improving pedestrian safety and bringing in over a million dollars in grant funding by strategically spending these funds. He stated that the projects are critical and cannot be ignored.

Housh CLOSED THE PUBLIC HEARING AND CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Second Reading and Public Hearing of Ordinance 2020-38** Prohibiting Engine Brake Use Within Village Limits in Chapters 634 and 440 of the Yellow Springs Code of Ordinances. Curliss MOVED and Stokes SECONDED a MOTION TO APPROVE.

Housh OPENED THE PUBLIC HEARING.

Curliss asked that signage be aesthetically pleasing if possible, and to find ways to get the word out to the trucking community.

Housh CLOSED THE PUBLIC HEARING AND CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Reading of Resolution 2020-52** Adjusting the Village Employee Wage Scales. MacQueen MOVED and Kreeger SECONDED a MOTION TO APPROVE.

Salmeron stated that he is seeking a 1.5% increase as a cost of living increase for non-contract Village employees. He referenced the CPI and area averages provided in the packet as justification for the amount requested.

Housh expressed appreciation for the thorough presentation and attention to the current economic situation.

Housh CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Reading of Resolution 2020-53** Authorizing the Village Manager to Enter into a Contract for Library Facility Renovations. Stokes MOVED and Curliss SECONDED a MOTION TO APPROVE.

Salmeron noted that the renovations can occur for far less than initially estimated for the cost of renovating only one bathroom.

Burns stated that after negotiating with the renovation team, the cost has been brought down from about \$150,000.00 to about \$42,000.00.

Burns described the renovation, which will upgrade both bathrooms.

MacQueen expressed appreciation for the effort to reduce the cost.

Housh CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Reading of Resolution 2020-54** Supporting an End to the Practice of Cash Bail in Greene County, Ohio, Encouraging Robust Implementation of Criminal Rule 46 in Order to Reduce Jail Populations, Decrease Recidivism, Improve the Administration of Justice and Save Taxpayers Millions of Dollars. Curliss MOVED and Stokes SECONDED a MOTION TO APPROVE.

Housh thanked community members and Curliss for bringing this resolution.

Curliss commented that cash bail is a poverty-based injustice, and noted that Chief Justice O'Connor has made this one of her primary efforts. Curliss commented that this has important implications for right-sizing a new Greene County Jail.

Pat Dewees, a member of the Greene County Coalition for Justice, stated that ending cash bail is not new, noting that New Jersey, Alaska, and several other states have eliminated cash bail. Reform, she stated, is why a smaller jail is needed in Greene County. 70% of those being held in the Greene County jail have not had a hearing or a trial, she said. Dewees noted a trend in rural areas of building large jails and having contracts with ICE to hold immigrants, stating that this is to be avoided.

MacQueen and Kreeger expressed their strong appreciation for the resolution.

Housh CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

### **CITIZEN CONCERNS**

There were no Citizen Concerns.

### **SPECIAL REPORTS**

There were no Special Reports.

### **OLD BUSINESS**

**Update on Meaningful Action re: Anti-Racism and Justice.** Housh stated that the JSCC meeting had focused on getting projects completed.

Curliss stated that her group is focused on reducing the “mechanical failure” stops. They will soon turn to minor moving vehicle violations in an attempt to reduce these stops. The group should have something to bring to Council in January.

Housh invited any citizen to participate in staff anti-bias training.

Stokes stated that the Education sub-committee continues to meet. Housh followed up on this, noting that review of the kinds of stops taking place is ongoing.

Kreeger stated that collection of encounter data has slowed, but is on the radar.

Salmeron stated that all officers have completed required trainings, and are assigned to new courses.

Housh commented upon the 21-day challenge he had included in the Council packet, and encouraged the Village Team to participate.

Housh reported that that JSCC meetings will be moving to once a month starting in January.

### **NEW BUSINESS**

**Preliminary 2021 Goal Setting.** Housh polled each Council person regarding their 2021 priorities as a first step in putting together the 2021 Village Goals.

MacQueen stated a goal of creating more efficiency and action for the Environmental Commission.

Kreeger focused on the overlaps between goals, and how these intersect to focus on economic development and sustainability. She stated her commitment to the need to improve infrastructure, and summed up her Village priorities as economic development, the justice system and affordability.

Stokes stated his focus as quality of life in the village and social justice, along with housing availability and infrastructure, including broadband.

Curliss stated her goals as continued COVID response and economic support for businesses. She stated her desire to propose a DORA for the downtown area. She stated also her desire for in-person courageous conversations. Curliss stated a goal of preserving wetlands on the Glass Farm. She noted also a desire for a Dark Skies Ordinance. Curliss express doubt as to the ability of the Village to continue to address infrastructure projects at the current rate.

Kreeger stated the need to develop a young and diverse leadership base for the village, and stated her commitment to this effort, and that this is an appropriate effort for Council.

Housh stated a goal of revisiting the Village policy of enforcement being complaint-driven. He stated a desire to determine finally whether a paid parking policy makes financial sense for the village, and noted looking a village-owned properties for this potential. Housh agreed with the need to continue to develop broadband as key to economic development. Housh expressed support for the Finance Committee proposal, including MacQueen’s earlier suggestion of reviewing participatory budgeting, and added the goal of producing a balanced budget.

Housh stated that he will create a working document for Council to address at their January 20<sup>th</sup> retreat.

Salmeron stated his goal of improving quality of life for all citizens. He stressed the need to deliver the basic services and infrastructure maintenance and improvement. Salmeron stated that the effort to tap into available funds will continue, as will the effort to deliver Council’s goals.

Chief Carlson thanked Curliss and Dewees for their actions in bringing the resolution to end

cash bail, expressing his support for these kinds of efforts. Carlson thanked Dillon and Parcels for exemplary service and support.

**Funding Requests.** Housh noted two requests that have been brought to the HRC, and since that group is not meeting, the decision for funding should go through Council.

Housh noted a request from the House of AUM for \$527.50.

Salmeron stated that a total of \$22,000.00 remains in the Commissions budget line, and \$2,000.00 remains in the Council budget line.

Housh CALLED A VOTE ON THE REQUEST. The REQUEST WAS APPROVED ON A VOTE OF 5-0, ON A ROLL CALL VOTE.

Housh noted a request for the Wheeling Gaunt Project brought by John Gudgel in the amount of \$500.00.

Housh CALLED A VOTE ON THE REQUEST. The REQUEST WAS APPROVED ON A VOTE OF 5-0, ON A ROLL CALL VOTE.

Kreeger noted that the ACC is working on a pole banner project, but that this group is meeting regularly and is able to approve their expenditures.

Kreeger estimated that an amount of \$2,000.00 would cover the project.

Salmeron noted that this Commission has regularly met and has followed correct process for requesting funds.

Housh asked that Council approve the amount just as an added assurance.

Housh CALLED A VOTE ON THE REQUEST for ACC FOR \$2,000 FOR A POLE BANNER PROJECT. The REQUEST WAS APPROVED ON A VOTE OF 5-0, ON A ROLL CALL VOTE.

Housh brought up the need to contribute to the Rapid Response Testing effort. He proposed that all remaining funds go to this effort.

The amount of \$18,900 was requested for Rapid Response Testing.

Housh CALLED A VOTE ON THE REQUEST. The REQUEST WAS APPROVED ON A VOTE OF 5-0, ON A ROLL CALL VOTE.

Housh suggested that Board and Commission requests for funding might be put through Council as Consent Agenda items in the future, and suggested that it be discussed at the Council Retreat.

## **MANAGER'S REPORT**

Salmeron reported on the following:

- Administration continues its communication strategy to inform residents of the latest COVID-19 developments and impact in our region. Strategy includes 1) Virtual Townhalls; 2) Weekly Leaders Call; 3) Improved Social Media;
- Total to 30 hand sanitizer stations strategically placed around the Village. New sites include Glen Helen Parking Lots.
- VYS was awarded \$12k from the Ohio Office of Criminal Justice Services for COVID-19 related services.
- VYS was award \$341,883.16 in COVID19 relief funds from the CARES Act.
  - Initial award of \$130,217.54, supplemental award of \$65,108.79.
  - Received third distribution of \$134,917.83, bring total to \$330K
  - Received a Cares Act Fund Redistribution for 11,639.60
- Commenced installation Public WIFI service for Downtown:
  - Fixed Wireless Model includes 12 access points, covering +20 acres, which will improve quality, coverage and speed of services. Bandwidth is 1GB services, offering 10-100Mbps to thousands of users.
  - Configuring networks. The Fiber switch for will be hosted at the JBC Building.
- Expanding Wifi and Broadband to Gaunt Park and Hawthorne Apartments
- Submitted grant request/applications to Greene County Government and YS Community Foundation for financial support for projects presented to Council. County is unable to provide funding this year, but will conduct grant program in 2021, to which the Village plans to apply for funding. YSCF committed to \$25,000.00 towards the WIFI and Broadband project.
  - With YSCF support phase two of the program will be built out, including installing fiber

and wifi to Gaunt Park and around Hawthorne Apartments.

- CARES Grant for Village of Yellow Springs Small Businesses and Nonprofits executed. We received 18 applications, totaling \$70,587.72 in requests for financial assistance. This program has a funding allocation of \$40K. VYS also provided \$8K for a Senior Digital Engagement project to provide technology support and engagement for one of our most vulnerable populations affected by the COVID-19 pandemic.

Municipal Governments around the country are deciding on COVID-19 Vaccine as a requirement for employment. Given the many exemptions that must be made available the Village will not require the vaccine as a condition of employment. Staff will review and consider an incentive program to encourage employees to be vaccinated against COVID-19.

The VYS Administration has met with Ohio EPA and Bennett and Williams, to discuss an update to the Water Source Delineation Map. Ohio EPA has agreed to assist with a new Delineation. A thorough Time of Travel analysis and map will be conducted as a separate project. UPDATE: Ohio EPA has scheduled the delineation project for VYS. Expect completion around Summer of 2021.

Timeline for project has been adjusted. Statement of Basis and community engagement is expected Q1-Q2 of 2021.

Meeting with US EPA held on December 17, 2020. US EPA finds the 3D particle tracking model inadequate as it does not fully demonstrate “Run Water Flow” on both a horizontal and vertical planes. EPA and Vernay have scheduled technical meetings to work through the model and review technical data used to estimate the total soil removal zones. Updated Tracking model is expected end of January 2021 and Soil Removal Updated plan at end of February 2021.

#### Administration Updates

- ISG Gas Contract: renewed Gas contract for 14 months with a negotiated rate that includes carbon offset for all gas consumption. Expected Carbon offset of 99 metric tons. Value of contract is around \$6K.
- Recycling: Starting January 2021 VYS residents can recycle #5 plastics: Polypropylene, includes plastic tubs such as butter, yogurt and fruit containers. Draft Mailers attached.
- Energy Contracts and Consumption for 2021: We’ve reviewed energy contracts and cost projections for 2021. Planning replacement of 1.8MW of energy contract that expires in 2021. We’ll work on the feasibility study for developing local generation of up to 2MW of solar on Village Owned properties.
- Health Insurance Management:
- Life Insurance; changed vendors from North Western to Unum. This allows the Village to consolidate accounts, improve enrollment and management of benefits, and reduce cost.
- Health Insurance broker change: We are in the process of changing Health Insurance Broker from McGohan to Strategic Benefits. This change will facilitate improved customer service to management and employees, reduce administrative burden as new broker provides a centralized online platform for benefits enrollment and management that is accessible by the employer and employees. Brochure of services is attached.
- IT Cyber Security: Conducted another phishing test on VYS account holders.

#### BOARD AND COMMISSION REPORTS

MacQueen NOMINATED Piper Fernway as an Alternate Member of Planning Commission. Curliss SECONDED, and the NOMINATION PASSED 5-0 ON A ROLL CALL VOTE.

Curliss noted that Planning Commission will not meet in December, and will return in January with another look at the weeds ordinance.

#### FUTURE AGENDA ITEMS\*

- |                 |   |
|-----------------|---|
| <b>Jan. 4:</b>  | Presentation on Hazard Mitigation<br>2020 Year in Review<br>2021 Goals Update<br>Council Rules and Procedures<br>Resolution Declaring Juneteenth a Holiday in the Village of Yellow Springs |
| <b>Jan. 19:</b> | Inclusive and Resilient Yellow Springs  |

\*Future Agenda items are noted for planning purposes only and are subject to change.

#### ADJOURNMENT

At 9:22pm, MacQueen MOVED and Stokes SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 on a voice vote.

Brian Housh, Council President

Passed:

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Attest: Judy Kintner, Clerk of Council